

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AURA WRIGHT,
Plaintiff,

v.

BMW OF MOUNTAIN VIEW,
Defendant.

Case No. 17-cv-04772-SVK

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED WITH
PREJUDICE**

Re: Dkt. No. 42

On December 28, 2017, Defendant BMW of Mountain View filed a motion to dismiss Plaintiff Aura Wright's Second Amended Complaint. ECF 42. Plaintiff's opposition to the motion to dismiss was due on January 11, 2018. *See* Civil Local Rule 7-3(a) ("The opposition [to a motion] must be filed and served not more than 14 days after the motion was filed."). As of today, Plaintiff has not filed an opposition to the motion to dismiss.

Based on Plaintiff's failure to oppose Defendant's motion to dismiss the Second Amended Complaint, this Court ORDERS Plaintiff to show cause why this case should not be dismissed with prejudice under Federal Rule of Civil Procedure 41(b). No later than **February 5, 2018**, Plaintiff shall file an opposition to Defendant's motion to dismiss that includes an explanation as to why her opposition was not timely filed. Failure to file such an opposition by February 5, 2018 will result in dismissal of this case with prejudice.

SO ORDERED.

Dated: January 22, 2018



SUSAN VAN KEULEN
United States Magistrate Judge